

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 07-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

916-4 PCT/US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/509206**INTERNATIONAL APPLICATION NO.  
**PCT/EP03/02859**INTERNATIONAL FILING DATE  
**19 March 2003**PRIORITY DATE CLAIMED  
**25 March 2002**

TITLE OF INVENTION

**METHOD AND DEVICE FOR PRODUCING A METAL HYDROXIDE**

APPLICANT(S) FOR DO/EO/US

**Lindemann, Johannes; Manderscheid, Karl; Schneider, Manfred**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV481315493US
23. ☒ Other items or information:

**Reply to Written Opinion; English Translation of Reply to Written Opinion; Written Opinion; unexecuted Declaration and Power of Attorney for Patent Application; Correspondence Address Indication Form**

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/509206</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/02859</b>		ATTORNEY'S DOCKET NUMBER <b>916-4 PCT/US</b>	
--	--	--	--	---	--

24. The following fees are submitted:. <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b></li> <li><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b></li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b></li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b></li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></li> </ul> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>				<b>CALCULATIONS PTO USE ONLY</b>	
				<b>\$920.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$0.00</b>	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	20 - 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	2 - 3 =	0	x \$86.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$920.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$920.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$920.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$920.00</b>	
				Amount to be: refunded	\$
				charged	\$

a.	<input checked="" type="checkbox"/>	A check in the amount of <u>\$920.00</u> to cover the above fees is enclosed.
b.	<input type="checkbox"/>	Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
c.	<input checked="" type="checkbox"/>	The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-2461</u>
d.	<input type="checkbox"/>	Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

**Ludomir A. Budzyn**  
**Hoffmann & Baron, LLP**  
 6900 Jericho Turnpike  
 Syosset, New York 11791  
 973-331-1700

SIGNATURE  
**Ludomir A. Budzyn**  
 NAME  
40,540  
 REGISTRATION NUMBER  
**September 24, 2004**  
 DATE

DT15 Rec'd PCT/PTO 24 SEP 2004

Please type a plus sign (+) inside this box →



PTO/SB/121 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **CORRESPONDENCE ADDRESS INDICATION FORM**

## **Address to:**

Assistant Commissioner for Patents  
Box CN  
Washington, DC 20231

Please recognize the following address as the correspondence address:



Customer Number

23869

OR

Type Customer Number here

Place Customer Number  
Bar Code Label here



Request for Customer Number (PTO/SB/125) submitted herewith.

in the following listed application(s) or patent(s) :

Patent Number (if appropriate)	Application Number	Patent Date (if appropriate)	U.S. Filing Date
	National Stage Filing of PCT/EP03/02859		

Typed or  
Printed Name

Ludomir A. Budzyn

Signature

Date

September 24, 2004

Address of signer:

Hoffmann &amp; Baron, LLP, 6900 Jericho Turnpike, Syosset, New York 11791

(check one)



Applicant or Patentee



Assignee of record of the entire  
interest. Statement under  
37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)



Attorney or Agent of record  
40,540

(Reg. No.)

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below \*.

☒ \*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

10/509206

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Lindemann et al.

Docket No.

916-4 PCT/US

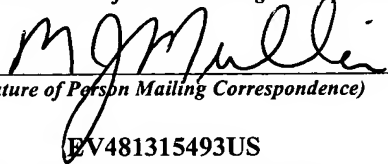
Application No.  
UnassignedFiling Date  
HerewithExaminer  
UnassignedCustomer No.  
23869Group Art Unit  
UnassignedInvention: **METHOD AND DEVICE FOR PRODUCING A METAL HYDROXIDE**

I hereby certify that the following correspondence:

National Stage Filing Under 35 U.S.C. 371

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 24, 2004*(Date)*M.J. Mullin*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EV481315493US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**